

MORGAN, LEWIS & BOCKIUS LLP
David L. Schrader, Bar No. 149638
david.schrader@morganlewis.com
300 South Grand Avenue
Twenty-Second Floor
Los Angeles, CA 90071-3132
Tel: +1.213.612.2500
Fax: +1.213.612.2501

Mark A. Feller, Bar No. 319789
mark.feller@morganlewis.com
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: +1.415.442.1000
Fax: +1.415.442.1001

Brian M. Ercole
(admitted *pro hac vice*)
brian.ercole@morganlewis.com
Matthew M. Papkin
(admitted *pro hac vice*)
matthew.papkin@morganlewis.com
600 Brickell Ave, Suite 1600
Miami, FL 33131-3075
Tel: +1.305.415.3000
Fax: +1.305.415.3001

Attorneys for Defendant Tesla, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES PORTER, et al.

Plaintiffs,

v.

TESLA, INC.,

Defendant.

AND RELATED CASES:

ALEJANDRO CORONA, et al. v. TESLA, INC.
Case No. 4:23-cv-3902-YGR

SAMUEL VAN DIEST, et al. v. TESLA, INC.
Case No. 4:23-cv-4098-YGR

Case No. 4:23-cv-03878-YGR

**DECLARATION OF MARK A.
FELLER IN SUPPORT OF
STIPULATION TO CONTINUE THE
MOTION TO COMPEL
ARBITRATION AND MOTION TO
DISMISS HEARING DATE**

Judge: Hon. Yvonne Gonzalez-Rogers

Current Hearing Date: January 30, 2024

Proposed Hearing Date: February 13, 2024

DECLARATION OF MARK A. FELLER

I, Mark A. Feller, hereby declare pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law, duly licensed to practice in the State of California and before this Court, and am an attorney with Morgan, Lewis & Bockius LLP, attorneys of record for Defendant Tesla, Inc. (“Tesla”) in the above-captioned actions. In accordance with Civil L.R. 6-3, I make this declaration in support of the Parties’ Stipulation To Continue Motion To Compel Arbitration And Motion To Dismiss Hearing Date.

2. On January 30, 2024 beginning at 10:00 a.m., counsel for Tesla has an in-person hearing on eleven motions *in limine* in *Salas et al. v. Toyota Motor Sales, U.S.A., Inc.*, Case No. CV15-08629 HDV (E) (C.D. Cal) which is set to start trial on February 27, 2024, in Los Angeles, California before the Honorable Hernán D. Vera in Los Angeles. The motion *in limine* hearing creates a conflict for counsel for Tesla with the in-person hearing on the Motion to Compel Arbitration and Motion To Dismiss in the three related cases (*Porter*, *Corona*, and *Van Diest*).

3. On January 17-18, 2024, the parties conferred via email and agreed to the continue the hearing on the Motion to Compel Arbitration and Motion To Dismiss to February 13, 2024 at 2:00 p.m.

4. The Parties in the *Porter* Action have sought two other extensions. The first was a stipulation to change time for Defendant to respond to class action complaint. *See* Dkt. No. 22 in the *Porter* Action. The second was a stipulation to extend time for Plaintiffs to Amend their Complaint. *See* Dkt. No. 31 in the *Porter* Action.

5. The Parties in the *Corona* Action have sought one other extension, which extended the time for Tesla to respond to Plaintiffs’ Amended Complaint. *See* Dkt. No. 15 in the *Corona* Action.

6. The Parties in the *Van Diest* Action have sought one other extension, which extended the time for Tesla to respond to Plaintiffs’ Amended Complaint. *See* Dkt. No. 19 in the *Van Diest* Action.

I declare under penalty of perjury that the foregoing is true and correct. Executed this January 18, 2024, in El Cerrito, California.

Mark A. Feller